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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 D.M.P., a minor child by and through his legal  
guardian, ANNIE POMPA MOREJON;  
14 C.V.P. a minor child by and through his legal  
guardian, RUBY PEREZ CHINO; C.R.C., a  
15 minor child by and through his legal guardian,  
AMERICA CARDONA; J.P., a minor child by  
and through his legal guardian, JESENIA  
16 PLASCENCIA; D.P. a minor child by and  
through his legal guardian, MARGARET  
PETNEAUD,

17 Plaintiffs,

18 vs.

19 BEECH-NUT NUTRITION COMPANY,  
INC.; GERBER PRODUCTS COMPANY;  
20 PLUM PBC, d.b.a. PLUM ORGANICS;  
SPROUT FOODS, INC.; and WALMART,  
21 INC.,

22 Defendants.

CASE NO.: 2:23-cv-00344-CDS-EJY

23 **STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DEADLINES TO  
SUBMIT DISCOVERY PLAN AND  
SERVE INITIAL DISCLOSURES**

(First Request)

24  
25 IT IS HEREBY STIPULATED AND AGREED by and between plaintiffs D.M.P.,  
26 C.V.P., C.R.C., J.P., and D.P. ("Plaintiffs") and defendants Beech-Nut Nutrition Company,  
27 Gerber Products Company, Plum PBC, Sprout Foods, Inc., and Walmart Inc. ("Defendants")  
28 (collectively, the "Parties"), by and through their respective counsel of record, subject to the

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1 Court's approval, that the deadline for the Parties to submit a discovery plan and serve initial  
 2 disclosures currently set for June 29, 2023 pursuant to Fed. R. Civ. Proc. 26(a)(1)(C), should be  
 3 extended either (i) until 30 days after the Court enters an order on Defendants' Joint Motion to  
 4 Sever (ECF No. 41) and Plaintiffs' forthcoming motion to amend their Complaint, or (ii) by 120  
 5 days to October 27, 2023, whichever comes sooner. If the Court has not ruled on both motions  
 6 within 90 days, the Parties will meet and confer regarding a subsequent extension.

7 Good cause exists to grant the stipulation. The Parties participated in a Rule 26  
 8 conference via Zoom, on July 15, 2023. Defendants filed a motion to sever the claims brought by  
 9 the five plaintiffs named in the Complaint. (ECF No. 41.) Plaintiffs intend to file a motion to  
 10 amend the Complaint to add additional plaintiffs and name additional defendants. Both motions  
 11 will be opposed. The Court's rulings on these motions will impact the Parties' discovery plan and  
 12 initial disclosures. Thus, by this extension, the Parties seek to avoid waste of party and judicial  
 13 resources. This is the first stipulation for an extension of time to submit a discovery plan and  
 14 serve initial disclosures, and it is made in good faith and not for purposes of delay.

15 DATED this 29th day of June 2023.

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17 By: /s/ M. Magali Mercera

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**ORDER**

Based on the foregoing stipulation, and on the basis of good cause, it is ORDERED that the deadline for the parties to submit a discovery plan and serve initial disclosures currently set for June 29, 2023, should be extended either (i) until 30 days after the Court enters an order on defendants' motion to sever (ECF No. 41) and Plaintiffs' forthcoming motion to amend the Complaint, or (ii) by 120 days to October 27, 2023, whichever comes sooner.

IT IS SO ORDERED.

  
Layna J. Zouchal  
UNITED STATES MAGISTRATE JUDGE

DATED: June 30, 2023

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